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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,104	12/17/2004	Alessandro Vescovini	58009-018400	5582

7590  
Greenberg Traurig  
Suite 400E  
2450 Colorado Avenue  
Santa Monica, CA 90404

01/12/2007

EXAMINER
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CRANE, DANIEL C

ART UNIT	PAPER NUMBER
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3725

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/501,104

Applicant(s)

VESCOVINI, ALESSANDRO

Examiner

Daniel C. Crane

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 and 23-30 is/are rejected.  
7) ☒ Claim(s) 21 and 22 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **REJECTION OF CLAIMS ON FORMAL MATTERS**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With reference to claim 3, the phrase “any one of the” renders the subject matter unclear because the claim depends only from claim 1 but the phrase implies otherwise.

Applicant is required to cancel the phrase “any one of the” in the response to this Office Action to obviate the indefiniteness.

## **REJECTION OF CLAIMS OVER PRIOR ART**

Claims 1-3, 6, 11, 13-18, 20, 23 and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vergnani (4,175,417) in view of Kohama (4,882,924). Vergnani illustrates and discloses the claimed cold pressing procedure where continuous length of stock is cut into pieces and the pieces are sequentially fed through a plurality of “hydraulic presses” 80-88 and 90-98, where the presses are driven by hydraulic drives 46 or 146. The pieces are formed with dead holes, as shown in the 3<sup>rd</sup> Station 3, Figure 9, with a piercing step shown in the 5<sup>th</sup> station. Tapping can be performed by the tapping head 66 (see Figure 2), thus, resulting in a drilling of the piece. While Vergnani does not show that the continuous length of stock is “straightened”, this is clearly an inherent processing operation in preparation for the piece cutting. However, this is also known in the art as evidenced by either one of Kohama where stock is straightened prior to cutting into pieces (see Figure 4). Therefore, it would have been obvious to the skilled

artisan at the time of the invention to have modified Vergnani's procedure by initially straightening the stock prior to the cutting operation as taught by Kohama so as to properly prepare the stock for the hydraulic pressing operations. The size of the work or pieces being processed, i.e., "diameter greater than 30mm", would not effect the overall procedure other than sizing the equipment to handle specific sized pieces. Clearly, this is in the purview of the skilled artisan and the skilled artisan would have realized the need to configure or size the processing equipment to adequately accommodate the specific desired pieces. As to claim 6, see Figures 5A and 5B of Kohama. Whether the press is vertical or horizontal is considered to be dependent upon the manufacturing plant's layout. Computer controls are commonly used in this art so as to limit and reduce manual intervention in the procedure.

Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vergnani (4,175,417) and Kohama (4,882,924), as applied to the claims above, and further in view of Wang (6,571,452). Washing of the stock is common in the art as taught by Wang so that high quality products are produced during the processing procedure. It would have been obvious to the skilled artisan at the time of the invention to have modified Vergnani's process by further washing the stock as taught by Wang for the above noted motivation.

Claims 8, 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vergnani (4,175,417), Kohama (4,882,924) and Wang (6,571,452), as applied to the claims above, and further in view of Green (5,632,175). It is common in the metal working art to produce products from precut elongated material. This is conventionally shown by Green where

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the bar 22 is individually fed into the straightening mechanism from bundled stock. It would have been obvious to the skilled artisan at the time of the invention to have modified Vergnani's procedure by using pre-cut straightened material using the concepts taught by Green so as to eliminate coils of stock. Precutting the predetermined lengths by blades or saws are well known in the art and clearly common modes of severing stock.

Claims 12 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vergnani (4,175,417) and Kohama (4,882,924) as applied to the claims above, and further in view of Oakley (1,713,316). While Vergnani uses a bolster or indexing plate 60 to transfer the pieces from station to station, it is known in the art to use carriers such as taught by Oakley at 27 to facilitate workstation transfer. Accordingly, it would have been obvious to the skilled artisan at the time of the invention to have modified Vergnani's procedure by using a gripper assembly as clearly taught by Oakley at 27 so as to pick and place the pieces at different stations thus simplifying the procedure.

#### **INDICATION OF ALLOWABLE SUBJECT MATTER**

Claims 4 and 5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **FINAL OFFICE ACTION**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Applicant's comments made in the response of October 20, 2006 are moot. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

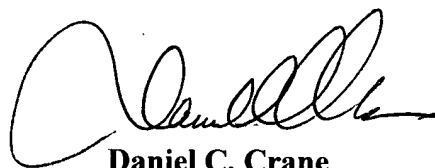
## INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is **(571) 272-4516**. The examiner's office hours are 7:00AM-3:30PM, Monday through Friday.

Documents related to the instant application may be submitted by facsimile transmission at all times to Fax number **(571) 273-8300**. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response. The Examiner's Fax number is **(571) 273-4516**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DCCrane  
January 4, 2006



**Daniel C. Crane**  
Primary Patent Examiner  
Group Art Unit 3725